

LAND USE PERMIT

AMENDMENT

CASE NO.: 2S0351-7A-EB LAWS/REGULATIONS INVOLVED:
APPLICANT: Okemo Mountain, Inc. 10 V.S.A. Chapter 151
ADDRESS: RFD #1 (Act 250)
Ludlow, VT 05149

The Vermont Environmental Board hereby issues Amended Land Use Permit #2S0351-7A-EB pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit applies to the lands identified in Book 54, Page 209, of the Land Records of the Town of Ludlow, Vermont, as the subject of a deed to Okemo Mountain, Inc., the Permittee, as grantee. This permit amends the conditions of Land Use Permit #2S0351-7A, which authorizes the Permittee to use the Okemo Mid-Mountain Lodge for receptions, banquets, private, and civic functions from mid-April through October of each year ("non-skiing season") and to create a temporary 74-car parking area. The project is located on Okemo Mountain in Ludlow.

The Permittee and its assigns and successors in interest are obliged by this permit to comply with the following conditions:

1. The project shall be completed, operated and maintained in accordance with: (a) the terms and conditions of Land Use Permit #2S0351 and amendments, except as amended hereby; (b) the plans, exhibits, and testimony submitted by the Permittee to the Environmental Board; (c) Findings of Fact and Conclusions of Law #2S0351-7A-EB; and (d) the conditions of this permit. No changes shall be made in the project without the written approval of the District #2 Environmental Commission.
2. Condition 7 of Land Use Permit Amendment #2S0351-7A is modified to read as follows:

7. Anytime the Okemo Mountain Road is to be closed to the public, at a time when the Mid-Mountain Lodge or the 74 parking spaces will be used, during the non-skiing season, the Permittee shall post a sign at the base of the portion of the Road owned by the State of Vermont and shall publish notice in a daily newspaper of general circulation in the Ludlow area. The sign and notice shall at a minimum state that the Road will be closed and shall specify the dates on which the Road will be closed. The sign shall be posted and the notice shall be published no later than 30 days prior to any closing of the Road in connection with use of the Lodge

or of the 74 parking spaces. The sign shall remain posted until the day after the last day on which the Road is to be closed.

3. Condition 8 of Land Use Permit Amendment #2S0351-7A is modified to read as follows:

8. Closure of the Okemo Mountain Road during the non-skiing season when the Mid-Mountain Lodge or the 74 parking spaces will be used:


- a. Shall occur no more than 15 days. Of those 15 days, no more than 10 shall be consecutive.
- b. Shall occur only in connection with events which are open to the general public.
- c. Shall not occur between the dates of September 15 and October 31.
- d. Shall not occur on any holiday weekends, including but not limited to Memorial Day, July 4th, Labor Day, and Columbus Day.
- e. Shall be approved in advance by the State of Vermont Agency of Natural Resources, Department of Forests, Parks, and Recreation.
- f. Shall not occur on more than one weekend a month and shall not occur on consecutive weekends, except that once during any given non-skiing season, the Permittee may close the Road in connection with Lodge use for two consecutive weekends which may occur during the same month.

4. Condition 10 of Land Use Permit Amendment #2S0351-7A is deleted and new Condition 10 is added to read as follows:

10. During times when Okemo Mountain Road is closed in connection with use of the Mid-Mountain Lodge or the 74 parking spaces, no vehicles or other physical obstructions shall be allowed on the closed portions of the Road. In addition, the Permittee shall promptly clear the Okemo Mountain Road of all pedestrians in response to any need for emergency vehicular access to the upper portions of the Okemo Mountain or to any request for such access by a local governmental authority.

Dated at Montpelier, Vermont this 14th day of August, 1992.

ENVIRONMENTAL BOARD



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